

DOCKET SECTION

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

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POSTAL RATE AND FEE CHANGES, 1997

Docket No. R97-1

NOTICE OF UNITED STATES POSTAL SERVICE OF FILING OF REVISED PAGE TO UNITED STATES POSTAL SERVICE ANSWER IN OPPOSITION TO NAA MOTION TO PLACE USPS MARKETING DOCUMENT INTO EVIDENCE

The United States Postal Service hereby provides notice that it is today filing revised page 1 to its Answer in Opposition to NAA Motion to Place USPS Marketing Document into Evidence, filed April 2, 1998. The revised page corrects the title of the document. Revised page 1 is attached to this Notice.

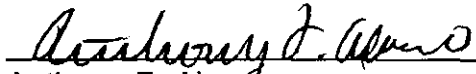
The Postal Service regrets any inconvenience this error may have caused.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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April 3, 1998

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Revised 4/3/98

POSTAL RATE AND FEE CHANGES, 1997

Docket No. R97-1

**UNITED STATES POSTAL SERVICE ANSWER IN OPPOSITION TO NEWSPAPER
ASSOCIATION OF AMERICA MOTION TO PLACE USPS MARKETING DOCUMENT
INTO EVIDENCE**

On March 27, 1998, NAA filed its Motion to Place USPS Marketing Document into Evidence (hereinafter "Motion"). The document that NAA seeks to enter, designated as NAA/R97-1 LR-2, has been the subject of motion practice since February 17, 1998. On that date, NAA filed a discovery request upon the Postal Service seeking that the Postal Service admit to the existence of the document. The Postal Service objected to that discovery request. NAA subsequently filed a motion to compel, to which the Postal Service filed an answer in opposition. The Presiding Officer granted NAA's Motion to Compel a response to NAA's discovery request. Tr. 33/17361-62. The Postal Service requested certification of the ruling, which the Presiding Officer granted in P.O. Ruling No. R97-1/114. In Order No. 1210, issued on March 25, 1998, the Commission affirmed the Presiding Officer's ruling. Pursuant to Order No. 1210, the Postal Service filed a compelled response to NAA's discovery request on March 26, 1998. NAA's Motion to place the document into evidence followed.

The Postal Service hereby opposes NAA's Motion. NAA claims that the document establishes evidence of "Postal Service bias," which is inherently relevant and routinely admitted in judicial proceedings. NAA goes on to state that "[i]f a statement or document is contrary to a party's position in a hearing, it is also routinely admitted as a party admission" NAA Motion at 2. NAA fails to explain, however, what statement of the Postal Service or testimony of a postal witness it seeks to impeach through

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the Rules of Practice.


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April 3, 1998